

AT A REGULAR MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS  
HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON TUESDAY, JUNE 2,  
2009.

**Board Members Present:**

***William C. Chase, Jr., Chairman***

***Larry W. Aylor, Vice-Chairman***

Sue D. Hansohn

Steven E. Nixon

Brad C. Rosenberger

Tom S. Underwood

Steven L. Walker

**Staff Present:**

Frank T. Bossio, County Administrator

Roy B. Thorpe, Jr., County Attorney

Valerie H. Lamb, Finance Director

Donna Foster, Deputy Clerk

**CALL TO ORDER**

Mr. Chase, Chairman, called the meeting to order at 10:00 a.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Mr. Underwood led the members of the Board and the audience in the Pledge of Allegiance to the Flag.

**APPROVAL OF AGENDA**

Mr. Chase called for additions or deletions to the agenda.

Mr. Nixon asked that the following change be made to the agenda:

Under **CONSENT AGENDA**, remove item (h), lease between the Salem Volunteer Fire Department and Culpeper County, and postpone the same for 30 days.

Mr. Underwood asked that the following change be made to the agenda:

Under **CONSENT AGENDA**, remove item (f), petition letter to DEQ pursuant to House Bill 2074, and place it as item 4.07.

Mr. Aylor moved, seconded by Mrs. Hansohn, to approve the agenda with the amendments requested.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

**APPROVAL OF MINUTES**

Mr. Chase presented the following minutes for approval: The May 5 regular meetings.

Mrs. Hansohn moved, seconded by Mr. Nixon, to approve the minutes.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

### **CONSENT AGENDA**

Mr. Bossio reviewed the following Consent Agenda items with the Board:

- (a) The Board will consider approving a proclamation recognizing the week of July 12-19, 2009 as Antioch Baptist Church Week.
- (b) The Board will consider approving a resolution in appreciation for Peggy S. Crane's service to the County of Culpeper.
- (c) The Board will consider approving a budget amendment for the Sheriff's Office for funding from the Town on the OSSI contract for maintenance for mobile laptops in police cruisers (\$4,482.15 reimbursement from the Town). No local funding is required.
- (d) The Board will consider approving a budget amendment of \$212,450 in landfill tipping fee revenue to Environmental Services FY 09 Budget for Contract Services.
- (e) The Board will consider approving a budget amendment of \$150,000 in the Food Service budget due to increased costs.
- (f) [Removed and placed as Item 4.07] ~~The Board will consider a petition letter to DEQ pursuant to House Bill 2074.~~
- (g) The Board will consider accepting a real property and water and sewer easements from Centex Homes for the Clevenger's Corner Development.
- (h) [Removed and postponed for 30 days] ~~The Board will consider a lease between the Salem Volunteer Fire Department and Culpeper County for training room space.~~

Mr. Underwood noted the two budget amendments were both increases.

Mr. Nixon moved, seconded by Mr. Underwood, to approve Consent Agenda items (a), (b), (c), (d), (e) and (g) as presented.

Mr. Chase called for a voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

### **GENERAL COUNTY BUSINESS**

#### **SPECIAL PRESENTATIONS/RECOGNITIONS BY THE BOARD**

- (a) The Board will make special retirement presentations to Peggy S. Crane in recognition of more than 25 years service to Culpeper County.

Mr. Bossio read the resolution of appreciation which was presented by Mr. Chase to Peggy S. Crane. Mrs. Crane thanked the Board of Supervisors and County Staff.

- (b) The Board will recognize Tom Williams, Director of Emergency Services, for receiving the

2009 EMS Regional Emergency Medical Services (REMS) Award for outstanding EMS Administrator.

Mr. Chase presented Tom Williams with a Certificate of Appreciation from the Board of Supervisors.

(c) The Board will recognize Richardsville Volunteer Fire and Rescue Company 6 for receiving the 2009 Regional Emergency Services (REMS) Award for the outstanding EMS Agency.

Mr. Chase presented Mrs. Phyllis Hurlock, on behalf of Richardsville Volunteer Fire and Rescue Company 6, a Certificate of Appreciation from the Board of Supervisors. Mrs. Hurlock thanked the Board.

(d) The Board will recognize William Burton for receiving the 2009 EMS Regional Award in the art contest for students.

Mr. Chase presented William Burton with a Certificate of Appreciation from the Board of Supervisors.

#### **VDOT REPORT TO THE BOARD**

Mr. Donald Gore, VDOT Resident Engineer, thanked Peggy Crane for her service and noted, as a Regional EMS Council member, that the three REMS awards just presented would be entered into the State award competition in November and wished them well.

Mr. Gore reported progress on the following construction projects:

- Route 15/29 is scheduled to be completed by August 1, rather than July 1, due to weather conditions and traffic switches should be made on June 16 depending on the weather.
- Route 229 project from the north town limits to the American Legion Hall has storm sewer drains being put in and, with weather permitting, grading would begin.
- Route 610 has paving being done in the Richardsville area which should be completed within the week.

Mr. Gore stated the Route 3 safety meeting was held and he felt it was a successful meeting. He noted some work had already begun in additional signing and the increased size of signs and a contract was being put together for paving and additional work on Route 3.

Mr. Gore reported the progress on plan permits and land developments and noted over the last month VDOT reviewed a total of 105 special use permits, site plans, entrances, utility permits and street inspections on existing subdivision streets that have not been completed.

Mr. Gore stated VDOT assisted with two fuel spills and debris clean up on Route 29 after accidents earlier in the month; responded to 14 customer complaints; picked up over 300 bags of trash; moved 23 dead animals from the right of way; cleaned leaves and debris from pipes;

washed winter chemicals from the bridges; repaired potholes; and repaired storm damage from recent hard rains.

Mr. Gore said VDOT began mowing on Culpeper's primary and secondary roads and expected the primary roads should be completed this week.

He stated a number of advertisement signs were being moved from the right of way and an effort has been made in the last year to keep signs off the right of way.

Mr. Chase noted the Board's appreciation for all Mr. Gore has done, presently and in the past, for Culpeper County and thanked him for his service to the County.

Mr. Nixon asked what paving improvements were being done on Route 3. Mr. Gore explained shoulders were being widened, increasing the size of signs, and adding signs. He stated VDOT would be looking into a project next year to widen the shoulder where it currently ends to the four lanes at Lignum.

Mr. Underwood asked if any other safety study's had been requested in the County. Mr. Gore responded one was requested at White Shop and he would check with traffic operations to find out the status.

Mr. Underwood asked if any of the 14 constituent complaints were related to mowing on the secondary roads. Mr. Gore stated maybe 6 of the complaints were regarding mowing.

**VIRGINIA ASSOCIATION OF COUNTIES GROUP SELF INSURANCE ASSOCIATION  
COMPENSATION AGREEMENT**

Ms. Sheila Farmer-Dumas, Director of Risk Management, requested the Board approve the Workers Compensation Agreement with the County and the Virginia Association of Counties Group Self Insurance Association. She stated she reviewed proposals during the past year from VML Insurance Programs and VACO and noted the successful proposal was with VACO. Mrs. Farmer-Dumas asked for the Board's consideration to authorize the agreement with VACO for Workers Compensation for FY 10.

Mr. Underwood moved, seconded by Mr. Aylor, to approve the Virginia Association of Counties Group Self Insurance Association Compensation Agreement.

Mr. Chase called for a voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

Mr. Bossio asked Ms. Farmer-Dumas to state the savings with VACO agreement. Ms. Farmer-Dumas responded there was a savings of \$56,000 for FY 10.

**CONSIDERATION OF A BUDGET TRANSFER FOR THE SCHOOL SYSTEM FOR THE FY 09 BUDGET**

Mr. Jeff Shomo explained the school system did a categorical budget and was requesting to rearrange funds that were received towards the end of the year. He stated the school wanted to transfer \$100,000 from each Instruction and Maintenance to Transportation and Technology, respectively.

Mr. Walker informed the Board the transfer to Transportation would be for the potential purchase of three buses to help with the problem of keeping enough buses on the road due to repair issues. He stated the transfer would allow the school system to remain within the state's parameters and schedule and the three new buses would also help to stay within safety guidelines.

Dr. Larry Carter informed the Board transfer to Technology would help with the critical need for technology in the elementary schools. He stated companies had come out with Netbook computers which were inexpensive and allowed the school system to purchase two Netbooks for every regular computer. He said the transfer of money would allow for three or four additional mobile computer labs in the elementary schools, which currently there is only 13, and the school system needed 27.

Dr. Carter said the additional money would be spent exclusively on adding technology to the elementary schools and it would decrease SOL testing time, allowing for two additional weeks of instructional time.

Mr. Chase asked if the money transferred from Maintenance would diminish school maintenance. Mr. Walker responded the school system was projecting a large savings in energy, along with savings on custodial supplies and having had to only hire one subcontractor in the past year, the school was still gaining a savings from those budget lines if the money was transferred.

Mr. Nixon wanted to make everyone aware that this was not an increase in budget, but a transfer of funds from one line to another and it appeared to be a worthwhile savings.

Mr. Aylor moved, seconded by Mr. Nixon, to approve the school system budget transfer from Instruction and Maintenance to Transportation and Technology for the FY 09 budget.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion passed 7 to 0.

**CONSIDERATION OF A BUDGET TRANSFER FOR THE SCHOOL SYSTEM FOR THE FY**

**10 BUDGET**

Mr. Jeff Shomo explained the school system was requesting a final adjustment to the FY 10 budget because the school put all health insurance costs (\$116,000) in Instruction and would like to allocate that to the various categories, which would not change the budget total.

Mr. Underwood moved, seconded by Mrs. Hansohn, to approve the school system budget transfer from Instruction to the various categories with regards to health insurance costs for the FY 10 budget.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion passed 7 to 0.

**REVIEW/APPROVE FILLING RECENTLY VACATED POSITION IN THE SHERIFF'S**

**DEPARTMENT**

Sheriff Branch informed the Board the vacancy was a full-time regular deputy position in the jail vacated due to a resignation and a necessary position for the day-to-day operations of the jail.

Mr. Chase asked for confirmation that the position was already included in the budget. Mr. Branch confirmed it was in the budget.

Mrs. Hansohn moved, seconded by Mr. Rosenberger, to approve filling the recently vacated position in the Sheriff's department.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion passed 7 to 0.

**THE BOARD WILL CONSIDER SENDING A PETITION LETTER TO DEQ PURSUANT TO HOUSE BILL 2074 [Item (f) from the Consent Agenda]**

Mr. Underwood stated in looking at the letter the final sentence stated, "we are confident that the economy is improving" and though he is hopeful and optimistic, he was reluctant to use the term "confident" and asked if it could be amended to "optimistic" or "hopeful."

Mr. Underwood also noted the last sentence stated: "Based upon what we are seeing it can be completed by \_\_\_\_\_." He felt since the Board had until 2015 there was already a date and would like the final sentence removed, but otherwise liked the letter.

Mr. Walker asked for clarification on the purpose of the last sentence. Mr. Bossio explained Mr. David Evans, who was familiar with the DEQ and its proceedings, constructed that sentence to give DEQ a sense that the County could start this construction at some date certain

and it was left blank because the County did not have a solid date to put in the letter at this point in time.

Mr. Nixon agreed with Mr. Underwood to delete the last sentence because the letter stated construction could be completed by December 31, 2015 and he felt that was satisfactory.

Mr. Rosenberger asked if there was a reason why there was no mention of trying to negotiate a regional facility with the Town. Mr. Bossio explained the regional facility was being handled as a separate conversation with DEQ and the County was trying to head in the direction of a regional authority with the Town and this letter only dealt with the County's allocation being preserved in the event something happened with the negotiations with the Town.

Mr. Nixon moved, seconded by Mr. Underwood, to approve the petition letter to DEQ pursuant to House Bill 2074 with the amendments discussed.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

The Board recessed at 10:39 a.m. and reconvened at 10:50 a.m.

#### **COMMITTEE REPORTS**

##### **AIRPORT ADVISORY COMMITTEE REPORT – May 13, 2009**

Mr. Bossio reported that the Airport Advisory Committee met, and there were no action items to bring forward to the full Board. (See Attachment 1)

##### **PERSONNEL COMMITTEE REPORT – May 12, 2009**

Mr. Nixon reported that the Personnel Committee met, and there were no action items to bring forward to the full Board. (See Attachment 2)

##### **TOWN AND COUNTY INTERACTION COMMITTEE REPORT – May 27, 2009**

Mr. Underwood reported that the Town and County Interaction Committee met, and there were no action items to bring forward to the full Board. (See Attachment 3)

##### **ECONOMIC DEVELOPMENT REPORT**

Mr. Sachs provided the following report:

1. The walk-in clinic is open.
2. The Holiday Inn Express is open.
3. The building plans for the State Theater have been approved and paid for and the project was waiting on funding to start.

Mr. Sachs noted Terremark announced its fourth quarter earnings of \$22.1 million, before taxes, on May 26, which exceeded original expectation and brought Terremark's annual fiscal earnings, before taxes, to \$61.3 million.

Mr. Sachs stated Linden Labs, which owns and operates Second Life, a virtual simulation program, announced it would open an east coast serving operation out of Terremark in Culpeper. He noted Linden Labs' annual sales were \$450 million.

Mr. Sachs said there were a number of other prospective projects Economic Development he was looking at, including two large companies who he had met with and some smaller companies.

Mr. Sachs stated while many things were on hold due to the economy and credit situation, he felt Culpeper was poised to be in a good position.

Mr. Walker asked about the foreclosure grant and if the County was still working with Town. Mr. Sachs explained the Town took a grant, based on a recommendation from Housing and Community Development, to do a study of the foreclosures in the Town and he believed the process was complete and the Town would be in a position to submit for the second round of funding when it was announced.

Mr. Walker asked if it would be beneficial for the County to provide support. Mr. Sachs responded he spoke to Brian Hill, who is heading up the project, and he had not indicated a need for the County to do anything at this point, but he would keep in touch with Mr. Hill.

#### **ADMINISTRATOR'S REPORT**

Mr. Bossio reported:

1. The joint Board of Supervisors and School Board meeting was scheduled for 11:00 a.m. on June 9, 2009 at Germanna's Daniel Technology Center for presentations from Anthem, nHealth and Mark III regarding insurance and supplemental medical program provider.
2. The worksession on the Route 29 Corridor Study would be held on June 9, 2009 at 2:30 p.m. in the Board Room at N. Main Street.

Mr. Underwood asked for an advanced copy of the presentation regarding the health insurance. Mr. Bossio said the information should be available by the end of the week.

#### **CLOSED SESSION**

Mr. Nixon asked to add two new additions to the **CLOSED SESSION** under Item 1. Item 1(K) would be the evaluation of the County Administrator and 1(L) the evaluation of the County Attorney.

Mr. Nixon moved, seconded by Mr. Underwood, to approve the addition of items 1(K) evaluation of the County Administrator, and 1(L) evaluation of the County Attorney to the Closed Session.

Mr. Chase called for voice vote.



Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

Mr. Aylor moved that the Board enter into a closed session, as permitted under the following *Virginia Code* sections, for the following reasons:

1. Under *Virginia Code* § 2.2-3711(A)(1), to consider: (A) Appointments to the Culpeper Human Services Board; (B) appointment to the Rappahannock-Rapidan Community Services Board; (C) appointments to the Agricultural and Forestal District Advisory Committee; (D) appointments to the Economic Development Authority of Culpeper County, Virginia; (E) appointment to the Airport Advisory Committee; (F) appointment to the Agricultural Resource Advisory Committee; (G) appointment and/or re-appointment to the Rappahannock Emergency Medical Services Council; (H) appointment to the Germanna Community College Board; (I) discussion regarding the Voluntary Early Retirement Program for specific County employees; (J) discussion regarding the Reduction in Force Policy for specific County employees, (K) evaluation of the County Administrator; and (L) evaluation of the County Attorney.
2. Under *Virginia Code* § 2.2-3711(A)(3), (A)(7) & (A)(30), for discussion with legal Counsel and Staff to consider the terms and scope of a proposed agreement with the Town of Culpeper, regarding boundary adjustment, water and sewer service including a regional water and sewer authority, and related issues, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.
3. Under *Virginia Code* § 2.2-3711(A)(7), for discussion with legal counsel and Staff regarding litigation requiring advice and guidance from the County Attorney, where discussion in an open meeting would adversely affect the litigating posture of the County.
4. Under *Virginia Code* § 2.2-3711(A)(30), for discussion with Staff regarding the potential award of a public contract involving the expenditure of public funds to purchase a vehicle, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

Seconded by Mrs. Hansohn.

Mrs. Hansohn noted the Board wanted to be very careful that they only discussed issues that should be discussed in closed session and wanted to see if there was anyone on the Board who felt there was anything on the closed session agenda that could be discussed in open session.

Mr. Chase felt Item 4 should not be in closed session because it dealt with buying one vehicle. Mr. Underwood agreed and felt that public benefit exceeded the value of the Board

being in closed session.

Mr. Underwood stated he would like Items 1(I) and 1(J) split where specific employees would be discussed in closed session but the policy of the Volunteer Early Retirement Program and Reduction in Force be discussed in open session because they are significant programs concerning changes in workforce and creating an incentive which would impact what future County employment looked like.

Mr. Underwood stated he could discuss Item 2, water and sewer, in either open or closed session, but if the majority wished to have the discussion in closed he would agree.

Mr. Chase agreed Items 1(I) and 1(J) should be discussed in open session if it did not include individuals.

Mr. Thorpe explained Item 2 could be removed since the bulk of the discussion was under Item 3 and he submitted to the Board it was permissible under closed session because the discussion concerned pending litigation. He stated his understanding with regards to Items 1(I) and 1(J) was the bulk of the discussion was going to concern specific employees. He said the discussion could be separated into two separate discussions, one regarding policy and one regarding specific employees and it would be appropriate and proper to comply with the law to have the policy discussion in open session. Mr. Thorpe noted his concern was he believed the discussion concentrated on specific employees which would make it difficult to separate the discussion.

Mr. Bossio explained the Voluntary Early Retirement Program was done with specific employees in mind and felt discussion should be held in closed session to first determine if the Board would accept the notion of naming those particular individuals, but nothing precluded the Board from coming out of closed session and having an open discussion about the policy. Mr. Bossio noted that the Reduction in Force was similar.

Mr. Rosenberger felt it would be difficult to separate Items 1(I) and 1(J) based on the discussion held in the Personnel Committee. He emphasized he would not vote to go into closed session on any item that he did not feel should be discussed in closed session.

Mrs. Hansohn asked Mr. Bossio to explain why Item 4 was a closed session item. Mr. Bossio explained it was because the County would be offering a negotiating price, but if the Board felt comfortable discussing it in open and making a public offer, he would also be comfortable.

Mr. Chase felt if the County was only offering a price it should be in open session.

Mrs. Hansohn asked for clarification that the Board was looking for a motion to remove Item 2 and Item 4 from closed session.

Mr. Aylor moved, seconded by Mrs. Hansohn, to remove Item 4 from closed session to open session discussion and remove Item 2, in its entirety, from closed session.

Mr. Nixon asked if there was an existing contract to purchase the vehicle mentioned in Item 4 or if an offer to purchase was being made. Mr. Thorpe confirmed it would be an offer. Mr. Nixon stated the reason for closed session in that case would be to determine a price to make an offer and if done in open session the offer would be known before even made.

Mr. Chase noted the offer would only be known two days in advance.

Mr. Rosenberger stated if the offer was known to the seller, the seller would not negotiate on the price.

Mr. Nixon suggesting leaving Item 4 in closed session as recommended by staff and removing Item 2.

Mr. Underwood, in response to Mr. Rosenberger's earlier comment, stated he was not accusing this Board of attempting to hide anything, but he had a different philosophical belief regarding the policy reducing people via a certain formula would be a beneficial discussion in open session, but he understood that it involved very few individuals and the Personnel Committee wished to handle it in closed session.

Mr. Nixon noted the Personnel Committee had not yet agreed on a firm policy at this time and the Committee wanted the Board's input with regards to the policy until the Board was happy with the policy that would be put forth. Mr. Underwood stated that was what he wanted discussed in open session.

Following further comments by Mr. Nixon, Mr. Underwood said he would defer and do the closed session.

Mrs. Hansohn clarified the only change would be removing Item 2.

Mr. Aylor moved a substitute motion, seconded by Mrs. Hansohn, to remove Item 2 from the closed session.

Mr. Thorpe asked for clarification that the Board understood the broad discussion of policy would not be within closed session. Mr. Nixon and Mr. Underwood stated the Board was clear on the issue.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

The Board entered into closed session at 11:15 a.m.

The Board recessed at 12:35 p.m. for lunch and reconvened at 1:35 p.m. in closed session.

The Board returned to open session at 4:05 p.m.

Mr. Chase polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Ayes - Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

**APPOINTMENTS TO THE AGRICULTURAL AND FORESTAL DISTRICT ADVISORY COMMITTEE**

Mr. Aylor moved, seconded by Mr. Nixon, to appoint Mr. Robert R. Burnett for a term to begin on January 1, 2010 and to expire on December 31, 2013, Mr. Donald L. Kilby for a term to begin on November 1, 2009 and to expire on December 31, 2012, Mr. Thomas A. O'Halloran for a term to begin now and expire on December 31, 2102 to the Agricultural and Forestal District Advisory Committee.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

**APPOINTMENTS TO THE ECONOMIC DEVELOPMENT AUTHORITY OF CULPEPER COUNTY, VIRGINIA**

Mr. Aylor moved, seconded by Mr. Nixon, to appoint Laura Newman for a term to begin now and to expire on December 31, 2011, William T. Butler, III for a term to begin now and to expire on December 31, 2012, Tom Tichenor for a term to begin on January 1, 2010 and to expire on December 31, 2011, to set the term of office of Rick Furnival to expire on December 31, 2013 and to set the term of office of David Lochridge to expire on December 31, 2012 to the Economic Development Authority of Culpeper County, Virginia.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

**APPOINTMENT TO THE AIRPORT ADVISORY COMMITTEE**

Mr. Aylor moved, seconded by Mr. Nixon, to appoint J. Robert Yeaman, III for a term to begin on September 1, 2009 and to expire on September 31, 2012 to the Airport Advisory Committee.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

**APPOINTMENT TO THE AGRICULTURAL RESOURCE ADVISORY COMMITTEE**

Mr. Aylor moved, seconded by Mr. Nixon, to appoint Thomas O'Halloran for a term to begin on January 1, 2010 and to expire on December 31, 2013 to the Agricultural Resource Advisory Committee.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

**APPOINTMENT AND/OR RE-APPOINTMENT TO THE RAPPAHANNOCK EMERGENCY MEDICAL SERVICES COUNCIL**

Mr. Aylor moved, seconded by Mr. Nixon, to reappoint E. Thomas Williams for another term to the Rappahannock Emergency Medical Services Council.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

**FUNDING FOR THE EMERGENCY MEDICAL SERVICES OFFICE**

Mr. Aylor moved, seconded by Mr. Nixon, to approve funding for the Emergency Medical Services Office to purchase a 2004 Ford ambulance from the Salem Volunteer Fire Department for the amount not to exceed \$25,000.

Mr. Chase called for a voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

Motion carried 7 to 0.

**VOLUNTARY EARLY RETIREMENT PROGRAM AND REDUCTION IN WORK FORCE POLICY**

Mr. Thorpe noted the Board refrained from discussing any policy matters pertaining to the personnel policy and explained Ms. Chasity Croson, Human Resources Department Director, would be presenting the policies for discussion.

Ms. Croson explained the Voluntary Early Retirement Program provided two benefits: 1) it is a CCVRP or retirement payout and 2) a health insurance payout. She noted under the CCVRP benefit each employee would receive a lump sum equal to either 3, 4 or 5 years difference if they retired now or if they retired 3, 4 or 5 years later. That dollar amount or number of years needed to be determined by the Board. She explained the Personnel Committee recommended giving a lump sum with regards to the health benefit which was

\$10,500, which was equal to 24 months of employer premiums.

Mr. Underwood stated the Personnel Committee would pro-rate those who had portions of their salaries paid by the Compensation Board, so the benefit would be based on the local amount paid.

Mr. Thorpe clarified it was being requested of the Board to choose what policy to accept: 3, 4, or 5 years.

Ms. Croson stated an individual was eligible to participate if they are eligible to retire through the Virginia Retirement System (VRS) and they must be employed by Culpeper County for at least five years and they have to retire no later than October 1, 2010 through VRS.

Ms. Croson explained those employees who retired under this program and came back to work for Culpeper County in a regular full-time position would no longer be eligible for the benefit. She noted this provision was placed in the policy when the discussion of paying health insurance premiums over a two year period was discussed in Committee, and she did not know if this portion of the policy was needed at this point in time.

Ms. Croson stated the policy included language that employees who occupied critical or hard to fill positions, or employees who possessed critical knowledge or skills, may not be able to participate except without prior approval of the County Administrator, or designee, and she asked for the Board's input regarding the inclusion of this eligibility requirement in the policy.

Mr. Nixon stated he would like the Board to be able to prove a savings if a person left the County. He also stated if a full-time position was vacated it could not be filled again with another individual in the same position, unless it was on a part-time basis, and a savings was demonstrated.

Mr. Underwood agreed with Mr. Nixon and said there needed to be a minimum savings level, otherwise, the Board would create a lot of turn over and instability for very little benefit.

Mr. Nixon asked for the Board's input to put in place a percentage, rather than a dollar value, because salaries varied employee to employee. Mr. Bossio felt it depended on how much turnover the Board wanted to see in order to accomplish the savings and he suggested a 50 percent savings of local salary in the initial stage, being the first year.

Mr. Nixon asked if a position was funded by the Compensation Board, would the County only be eligible for the CCVRP on the portion the County paid. Ms. Croson noted the policy contained language under VRP benefit 1(b) and it mentioned the VRP benefit may be

prorated and reduced based on position's funding. Mr. Nixon felt that covered the issue.

Mr. Underwood suggested prorating an employee who is within 24 months of the age of 65 so their benefit equaled the number of months before they reached the age of 65. Mr. Nixon responded the Personnel Committee discussed if the employee was within 1 year of 65, then they would only receive one year of benefit and if two years the employee would receive two years of benefit. Mr. Walker clarified it would be prorated for every month with the 24 month period.

Mr. Walker asked if the County wanted to make the program available to an employee who is 50, even though it was included in the VRS's rules. Mr. Bossio explained VRS's rules varied throughout the County and with job positions, and it included the qualification of 50 years of age and 30 years of service, except the Sheriff's Office which was 25 years service, so there were different levels. Mr. Nixon stated he would be comfortable staying with VRS guidelines.

Mr. Nixon moved, seconded by Mr. Aylor, to approve the Early Retirement Program as presented with a three year payout and amended as discussed.

Mr. Underwood clarified he supported the motion but the Board had not considered which departments the policy would apply to.

Mr. Nixon explained he wanted to approve the policy first and then it could be tailored to certain groups.

Mr. Chase called for voice vote.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Underwood, Walker

The motion carried 7 to 0.

Mr. Underwood said the policy should go back to the Personnel Committee to look at the various departments, how critical they are and determine who the policy should be applicable.

Mr. Nixon stated, as a member of the Personnel Committee, the Committee did discuss the issue and he was hesitant to break it down per department because it would be very difficult. He recommended opening the policy up to see where the County would be and noted the Board had not discussed if there was going to be a three month window beginning in July and ending October 1 to County employees, not school employees.

Mr. Underwood asked if Constitutional Officers would be included. Mr. Nixon responded they were supplemented by the Compensation Board so the impact would be lessened.

Mrs. Hansohn asked Mr. Bossio for his thoughts concerning limiting the policy to

different departments and what his recommendation would be to the Board. Mr. Bossio noted the original recommendation was to limit the policy to specific departments, but that changed in Committee. His thought would be to go back to Personnel Committee and determine which departments would be in phase one.

Mr. Underwood felt a list needed to be determined because there were positions that would need to be refilled because they were critical and some positions that could remain unfilled.

Mr. Nixon asked about allowing the County Administrator and staff to prepare a list of the areas that the Board should target for the program and bring that list back to the Board for approval. Mr. Bossio recommended bringing the list to the Personnel Committee. Mr. Rosenberger felt the Board should handle the ultimate decision. Mr. Nixon noted the dates in the program would have to be amended as the Board would not see the list until the next meeting in July.

Mr. Walker asked if the Personnel Committee would look at the suggested list to provide recommendations to the Board.


Mr. Nixon clarified the County Administrator would make recommendations to the Personnel Committee concerning a list of departments the program would apply to and the Committee's recommendations would be presented to the Board at the regular meeting in July.

**ADJOURNMENT**

Mrs. Hansohn moved to adjourn the meeting at 4:27 p.m.



Donna Foster, MMC  
Deputy Clerk

  
William C. Chase, Jr., Chairman

ATTEST:



Frank T. Bossio, Clerk to the Board



***Culpeper Regional Airport  
Advisory Committee Meeting  
May 13<sup>th</sup>, 2009***

***Location: Airport Conference Room***

**Present:** Mike Dale, Tony Dias, Bob Yeaman, Bill Flathers, Jim Bailey,  
John Hunton, and Bill Chase  
**Absent:** None  
**Guests/Speakers:** T.R. Proven, M.T. Brown and J.J. Quinn  
**Staff:** Frank Bossio and Tanya Woodward

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**Call To Order**

- ❖ Mr. Flathers called the meeting to order at 8:00 a.m.

**Approval of the Minutes**

- ❖ *The minutes from the April 8<sup>th</sup>, 2009 meeting were approved as written. Ayes all.*

**Airport Director's Update**

- ❖ Mrs. Lamb, Culpeper County Finance Director, was going to join us at this month's meeting, however, her Wedding Anniversary is today and Mr. Bossio informed the committee that she was on leave.
- ❖ Mrs. Woodward shared with the committee some of the financial tools available through Counterpoint the point of sale software that the airport uses. Counterpoint is used in tandem with the Bright Accounting software. The two accounting systems will be meshed within the next several months.
- ❖ The committee discussed self-fueling and the pricing of self-serve fuel. The airport has future plans for a self-serve fueling station. It was mentioned that five General Aviation pilots run out of fuel each week per an AOPA survey. The self-fueling option would be available to pilots 24 hrs/7 days a week.
- ❖ Discussion on the biometric gate and how it has continuing issues. Mr. Bossio and met with Whit Turner and Jose Sorzano regarding the biometric access reader for the gate access. We are reworking the design of the unit, which has been sent off to New York. Some adjustments have been made on the system to ease the inconveniences in the meantime.

**Safety/Security Issues**

- ❖ Mrs. Woodward has had the AWOS Technician out to work on the AWOS issues and it has been verified by transmission up to 50 miles from the airport. Varied discussion here.

### *Customer Satisfaction Index*

- ❖ In previous meetings, Mrs. Woodward updated the committee on the latest collections of the customer satisfaction surveys. Totals to date include 91 valid cards received. Of these 91 cards, 52 were based customers and 39 were transient customers.
- ❖ The airport had no further surveys at this time.
- ❖ The committee has asked that the results of the current surveys be displayed and disseminated.

### *AIR FEST 2009: 10/10/09*

- ❖ The committee had a varied discussion on the addition of classic cars to the air fest this year. The addition will be welcomed only if the ramp space allows for it.
- ❖ J.J. Quinn offered a suggestion that he would invite the classic cars to a fly-in that he is planning to help kick off the resurgence of the Culpeper Aero Squadron or CAS.
- ❖ Varied discussion on aircraft parking for the air fest and the inclusion of a ramp layout to include aircraft dimensions etc.
- ❖ Oliver Lohr has agreed to help Tony Dias with the food vendor setup.
- ❖ John Hunton will do the scaled layout map mentioned above.
- ❖ T.R. Proven has the waiver ready to be sent in to the FAA.
- ❖ An Air Fest meeting will be scheduled after the June Advisory meeting.

### *Pending Items*

- ❖ First Responder meeting was held at the CAF hangar on the 9<sup>th</sup>. Could communication with the Airport and the Fire/Rescue personnel. Varied discussion here.
- ❖ The Clearance Delivery issue saw some action on the part of the FAA in April, however, nothing definite.
- ❖ Lighting project was included with the stimulus package requests.
- ❖ Fire Ext. still on hold for the t-hangar complex. The small fire extinguishers have been mounted on the mowing equipment.

### *Open Discussion*

- ❖ Mrs. Woodward mentioned several items from different articles that were F.Y.I.
- ❖ Mr. Bossio received an email requesting the decommissioning of the R/W 4 NDB Approach. The FAA is looking into decommissioning all redundant approaches. This saves the FAA time and money when flight checking and printing publications. Mrs. Woodward has checked with a few flight instructors operating out of CJR and they train with this approach. Varied discussion here. Mrs. Woodward sent out an email to the based customers requesting input on this issue and the majority of the results were to cancel the redundant approach. Varied discussion here.

- ❖ Mr. Quinn informed the committee that he is in the process of getting the Culpeper Aero Squadron (CAS) back up and running. He is planning on hosting some fly-ins/outs as well as some other events for the squadron. Mr. Quinn will also try to coordinate some of these activities with the CAF events.
- ❖ Mr. Quinn updated the committee on the 6 students that the flight school currently is working with.
- ❖ Mr. Quinn commented that the airport looks good, the lights are in good working order, the AWOS could be received over Richmond and the Carl is doing a great job on the grounds.
- ❖ Mr. Dias discussed the amount in the coffers for the CAS and that he feels that the money could be used to present the terminal building with an aviation themed gift for display or use. Varied discussion here.

### Adjournment

- ❖ The meeting was adjourned at 9:05 a.m.

No Attachments at this time.

Approval:

Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

Secretary: \_\_\_\_\_ Date: \_\_\_\_\_

- ➔ Indicates Subject with recommendation  
✓ Indicates recommendation forwarded

**PERSONNEL COMMITTEE MEETING**

**March 10, 2009**

**1:30 p.m.**

Members Present: Steve Nixon, Sue Hansohn, Brad Rosenberger  
Staff Present: Frank Bossio, John Bennett, Chasity Croson, Donna Foster  
Press Present: None  
Others Present: Larry Aylor

**CALL TO ORDER**

Mr. Nixon called the meeting to order at 1:30 p.m.

**APPROVAL OF AGENDA**

Mrs. Hansohn moved, Mr. Rosenberger seconded, to approve the agenda as presented. The motion carried with all Ayes.

**CLOSED SESSION**

Mrs. Hansohn moved, Mr. Rosenberger seconded, to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons:

1. Under *Virginia Code* § 2.2-3711(A)(1) to discuss the Voluntary Early Retirement Program for specific County employees.
2. Under *Virginia Code* § 2.2-3711(A)(1) to discuss the Reduction in Force Policy for specific County employees.

The motion carried with all Ayes.

The Committee entered closed session at 1:31 p.m.

The Committee reconvened in open session at 3:12 p.m.

Mr. Nixon polled the Committee and asked each of them to certify to the best of their knowledge, that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and only such public business in the closed session motion by which the Board entered the session were heard, discussed or considered by the Board in the closed session.

**Adjournment:** The Committee adjourned at 3:14 p.m.

**Pending Item(s):**

Consideration/discussion of new position and classification – Fire Official – Grade 9

Minutes prepared by:  
Donna Foster

**05-27-2009 Town & County Interaction Committee Minutes**  
**7:30 a.m., Third Floor Conference Room, Municipal Building**

**Town Members Present:** Mr. duFrane, Mr. Jenkins, Mr. Yowell

**Town Members Absent:** Mr. Rimeikis

**County Members Present:** Mr. Nixon, Mr. Underwood, Mr. Walker; Mr. Aylor, Alternate

**Also Present:** Mr. Muzzy, Mr. Bossio, Mrs. Allen; Mr. Alderman, Engineer II; Mr. Coleman, Mrs. Hansohn; Mr. John Egerston, County Planner; Mr. Paul Howard, County Director of Environmental Services; Mr. Bunker, Mr. Jack Rhoades

**CALL TO ORDER**

Mr. duFrane called the meeting to order at 7:30 a.m.

**APPROVAL OF AGENDA**

Mr. Walker requested a discussion on Verizon FIOS be added to the agenda. By general consensus, the agenda was approved as amended.

**UNFINISHED BUSINESS** – None

**TOWN ITEMS**

**Expanding Lake Catalpa**

Mr. Jenkins stated he had discussed expanding Lake Catalpa for recreational purposes, use as an additional source of water for the Town, and other purposes with Mr. Jack Rhoades, a Town resident.

Mr. Jack Rhoades distributed information from his website (copy included in meeting packet) and stated the lake could be expanded from 50 acres to 200 acres during construction of the outer western loop to expand the area's water supply. He noted it would require the Town and County to work together on a project; however, funding would be an issue.

Mr. Underwood referenced previous discussions between the Town and County on the Memorandum of Understanding and noted opportunities to improve Lake Catalpa merited deliberation as part of the construction of the outer loop. He noted the opportunity to make progress where there was common ground between the Town and County.

Mr. Howard noted Lake Catalpa was a flood water lake; therefore, the water level was kept low.

Mr. Bossio noted expansion of Lake Catalpa had been discussed as a relatively quick way to increase the Town's water supply. Mr. duFrane referenced a study on the Town's future water supply wherein Lake Catalpa was discussed.

Mr. duFrane requested Town and County staff research integrating expansion of Lake Catalpa with construction of the outer loop road, and present reports at the committee's next meeting.

**Utilization of County Schools for Recreational Purposes**

Mr. Jenkins referenced a recent discussion with a citizen who wanted to run a basketball camp and indicated the fees to use these facilities were high. He suggested reducing and simplifying the fees.

Mr. Bossio stated this was a recurring issue among County taxpayers and those who wanted to create sports teams. He noted the fees charged to use the buildings covered air conditioning and maintenance costs as well as janitorial services; these fees were typically higher in the summer months due to the hot weather and that fewer janitors were onsite when schools were closed. He noted separate contracts were negotiated with each organization.

Mr. Bossio believed this was an appropriate issue for the School Board; however, he would report on the County Public Schools' policy on this issue at the committee's next meeting.

Mr. Underwood requested staff gather additional information in 60 days, at which time the new superintendent would be in office.

**Western Outer Loop Road**

Mr. Bossio reviewed funding for the western outer loop road and noted:

- Approximately \$8.6 million had been allocated for the project with contributions of \$7.2 million and \$1.4 million from the County and Town respectively;
- An additional \$2 million was expected from the State in FY2010;
- VDOT estimated the road would cost approximately \$9 million; however, that estimate does not include all right-of-way (ROW) purchases;
- The project could cost over \$10 million.

Mr. Egerston added the Town and County had assured the Commonwealth Transportation Board that Alignment B was acceptable; VDOT will start on the ROW, engineering and design aspects of the project and construction should begin in two years.

Mr. Nixon questioned the Powell property along Lake Catalpa. Mr. Egerston responded the Powell family owned a substantial amount of property around the lake.

Mr. duFrane questioned who would administer the project. Mr. Egerston replied VDOT. A brief discussion ensued regarding the role of the Town and County with the project. Mr. duFrane stated the Town and County should advise VDOT on ways to mitigate the cost of purchasing the ROW. Mr. Nixon stated once VDOT designs the outer loop based on topography, staff should contact the Powell family.

Mr. Jenkins requested staff ask a VDOT representative to speak on these issues at the committee's next meeting to discuss the western outer loop project and possible expansion of Lake Catalpa. Mr. Bossio stated he would ask a VDOT representative to attend the next committee meeting.

Mr. Muzzy stated reallocation of the Town's \$1.4 million contribution had been discussed at the Public Safety, Public Works, Planning & Community Development meeting the previous day. A general discussion ensued regarding whether or not council had decided how it would allocate the funds. Mr. Nixon stated the Town would kill the project if it withdrew its funding. Mr. Jenkins stated council members who wanted to withdraw funding were in the minority.

**Verizon FIOS**

Mr. Muzzy stated the Town Attorney and staff had been negotiating with representatives from Verizon during the past several months to bring FIOS cable to the community. A general discussion ensued regarding franchise agreements.

Mr. Walker questioned if Verizon FIOS would participate with Channel 21 and if funding issues had been discussed. Mr. Muzzy responded yes, the Town was negotiating with FIOS to participate with Channel 21; however, he indicated he did not want to discuss funding issues at the present time.

**COUNTY ITEMS** – None

**FUTURE AGENDA ITEMS**

The committee requested the following two items be placed on the agenda for the its next meeting:

- Integrate expansion of Lake Catalpa with construction of the outer loop road:
  - Mr. duFrane requested Town and County staff research the issue and report to the committee;
  - Invite a representative from VDOT to discuss the issue
- Discuss the current public school policy on use of school buildings by sports teams, etc., and fees (additional information should be gathered in 60 days, at which time the new superintendent will be in office).

**ADJOURNMENT**

The meeting adjourned at 8:00 a.m.